

REMARKS

Claims 1-8, 10-16, and 18-20 are now pending in this application for which applicants seek reconsideration.

Amendment

A replacement sheet containing revised Figs. 12 and 13 with the legend "Prior Art" is enclosed to overcome the drawing objection.

Claims 9 and 17 have been canceled, claims 1-3, 5, 8, 11, 12, 14, and 16 have been amended to improve their form, readability, and clarity, as well as to obviate the informalities identified in the § 112 rejection, and new claims 18-20 have been added. Independent claims 1 and 11 further have been amended to define that the elastic member has at least one cutout that extends completely through the elastic member and located opposed to the driven member, and the portions adjacent to the cutout form the spaced contact parts. Claims 3 and 11 also have been amended to remove the superfluous product-by-process language "by press punching or by an etching process."

New claims 18-20 have been added to further define the present invention. The plurality of recessed parts in claim 18 correspond to the thinner parts 11-c and 11-d illustrated in FIGs. 2, 8, 9, and 11, the first ridge parts correspond to the edge parts 11-b, and the second ridge parts correspond to the contact parts 11-a.

No new matter has been introduced.

§ 112 Rejection

Claims 1-17 were rejected under 35 U.S.C. § 112, second paragraph, because claims 1 and 11 do not clearly define the "other surface," and the language "the vibrator" in claims 5 and 6 lacks antecedent basis. Applicants submit that the present editorial changes to the claims overcome this rejection.

Art Rejection

Claims 1-17 were rejected under 35 U.S.C. § 102(b) as anticipated by Narisawa (USP 5,672,930). Claims 1, 2, 4-11, and 13-17 were also rejected under § 102(e) as anticipated by Maruyama (USPGP 2005/0104476).

First, Maruyama is not a viable prior art reference as against this application because the present application claims priority to Japanese application having a filing date (09 June 2004) that predates the effective filing date (10 November 2004) of Maruyama. Should the

examiner maintain the same rejection, and the examiner requires it, applicants will file a verified English translation, to perfect claim for priority.

Second, as to Narisawa, each of independent claims 1 and 11 now define that the elastic member has at least one cutout that extends completely through the elastic member and located opposed to the driven member, and the portions adjacent to the cutout form the spaced contact parts. In rejecting the claims, the examiner has construed Narisawa's portion extending between the contact parts 11b and 11c to be a recess. As Narisawa's recess does not extend through the elastic member, Narisawa would not have disclosed or taught the elastic member configuration as now set forth in independent claims 1 and 11. Moreover, as Narisawa fails to disclose or teach the claimed first ridge parts, independent claim 18 also clearly defines over Narisawa.

Conclusion

Applicants submit that the pending claims patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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08 APRIL 2008

DATE

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REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

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